

ORDINANCE 08-06

**AN ORDINANCE BY THE COMMON COUNCIL OF THE CITY OF WESTFIELD
CONCERNING AMENDMENTS TO TITLE 16 – DEVELOPMENT PLAN REVIEW,
BOARD OF ZONING APPEALS, DEFINITIONS – SECOND FLOOR SIGNAGE
AND SIGN LIGHTING**

WHEREAS, the City of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield-Washington Township Zoning Ordinance; and

WHEREAS, the Westfield-Washington Advisory Plan Commission (“Commission”) considered several petitions filed with the Commission to amend the Sections described herein; and

WHEREAS, the Commission did take action to forward the requests to the Westfield City Council with a positive recommendation under the provision of IC 36-7-4-605; and

WHEREAS, the Secretary of the Commission certified the action of the Commission to the City Council; and

WHEREAS, the Common Council of the City of Westfield is subject to the provision of IC 36-7-4-608(g) concerning any action on this request.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in a regular session that Title 16 of the Westfield Code of Ordinances be amended as follows:

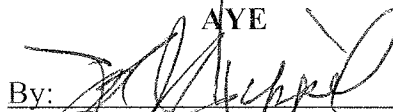



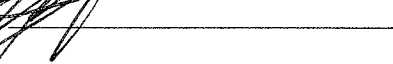

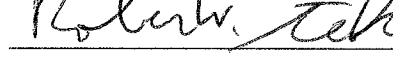
SECTION 1. That the following provisions of the Westfield-Washington Township Zoning Ordinance is amended, in accordance with the attached exhibits:

- a. WC 16.04.165 Development Plan Review as described in Attachment “A”.
- b. WC 16.04.170 Board of Zoning Appeals as described in Attachment “B”.
- c. WC 16.04.210 Definitions (Signage) as described in Attachment “C”.
- d. WC 16.04.010 Lighting as described in Attachment “D”.

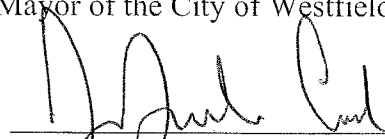
SECTION 2. This Ordinance shall be in full force and effect in accordance with Indiana law upon the passage by the Common Council, its publication in accordance with law, and upon the occurrence of any other legally required acts, including passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed.

ADOPTED BY THE Common Council of the City of Westfield, Indiana this 10th day of March, 2008.

**COMMON COUNCIL, OF WESTFIELD
HAMILTON COUNTY, INDIANA**

	AYE	NAY
By: 	John Dippel	_____
	Robert Horkay	_____
	Kenneth Kingshill	_____
	Bob Smith	_____
	Tom Smith	_____
	Rob Stokes	_____
	Melody Sweat	_____

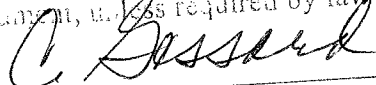
Approved and signed by the Mayor of the City of Westfield, Hamilton County, Indiana, this 10th day of March, 2008.


J. Andrew Cook, Mayor
City of Westfield, Indiana

ATTEST:


Cindy Gossard, Clerk-Treasurer

"I affirm, under the penalties of perjury,
that I have taken reasonable care to redact
each Social Security Number in this
document, unless required by law."



This ordinance prepared by
Gregory J Anderson, AICP, Director of Community Development

I hereby certify that ORDINANCE 08-06 was delivered to the Mayor of Westfield on the 13 day of March, 2008, at 11:30 A m.

Cindy Gossard
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 08-06
this 13 day of March, 2008.

J. Andrew Cook
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 08-06
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

Exhibit “A”
WC 16.04.165 Development Plan Review


**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Advisory Plan Commission met on Monday, January 28, 2008, to consider a revision to Section 16.04.165 Development Plan Review of the Westfield-Washington Township Zoning Ordinance. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed rezone is as follows:

0801-ZOA-01 WC 16.04.165 Development Plan Review,
Revisions to Section 16.04.165 Development Plan Review of the
Westfield-Washington Township Zoning Ordinance to provide for changes to the
timing of mailed legal notice, proposed by Westfield Community Development.

A motion was made and passed to send a positive recommendation to the City Council to approve the revision request for 0801-ZOA-01.

I, Gregory J. Anderson, AICP, being the Secretary of the Westfield-Washington Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Advisory Plan Commission held on January 28, 2008.



Gregory J. Anderson, AICP, Secretary

January 31, 2008
Date

0801-ZOA-01 WC 16.04.165 Development Plan Review, Revisions to Section 16.04.165
Development Plan Review of the Westfield-Washington Township Zoning
Ordinance to provide for changes to the timing of mailed legal notice, proposed by
Westfield Community Development.

Emigh moved to open the Public Hearing for 0801-ZOA-01 at 8:03 p.m.

Kelleher seconded, and the motion passed by voice vote.

Anderson reviewed the staff report and explained the proposed revisions.

Spoljaric moved to send 0801-ZOA-01 to the Westfield City Council with a positive recommendation.

Sanders seconded, and the motion passed by voice vote.

WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION

Petition Number	0801-ZOA-01
Zoning Ordinance Section	WC 16.04.165
Title	Development Plan Review
Request(s)	<ul style="list-style-type: none">• Replace legal notice provisions within Development Plan Review section with reference to current APC rules of procedure• Replace hearing conduct provisions within Development Plan Review section with reference to current APC rules of procedure• Global replacement of “Town” with “City”• Remove redundant header text from multiple locations
Exhibits	<ol style="list-style-type: none">1) Staff Report, WCD, 01/28/082) “Redline” existing document, WCD, 01/28/08

SUMMARY

The Development Plan Review language of the Westfield-Washington Zoning Ordinance currently contains both Legal Notice and Hearing Conduct provisions that conflict with current Westfield-Washington APC Rules of Procedure. These provisions would also conflict with the proposed revisions to the Westfield-Washington APC Rules of Procedure. The proposed text amendment would eliminate this conflict by establishing the current APC Rules of Procedure as the governing document for both Legal Notice and Hearing Conduct.

The proposed text amendment would also globally replace language referencing the “Town” of Westfield with language referencing the “City” of Westfield.

The proposed text amendment would also strike redundant header text which a previous revision had moved to within the ordinance body text. The stricken header text is not necessary for the function of the ordinance, and is not being replaced within the document.

ANALYSIS

The proposed revisions to the ordinance are in red underlined text. Deleted sections of the existing text are shown in the right margin of the document in red outlines.

PROCEDURAL

- Notice of this proposed text amendment was published in newspapers of general circulation in accordance with applicable State statutes.
- Copies of the proposed text amendment have been made available to the public in

- advance of the published hearing date.
- This matter requires a Public Hearing.
- The Advisory Plan Commission issues a recommendation to the Westfield City Council in regard to proposed changes in zoning.
- The APC has the option to recommend approval, recommend approval with proposed changes or conditions, recommend denial, or refer this request to the APC Workshop Meeting, tentatively scheduled for February 4, 2008, for further consideration if deemed necessary.

RECOMMENDATION

Issue a positive recommendation to the Westfield City Council.

ALTERNATE RECOMMENDATION

Refer this petition to the first-available workshop meeting for further discussion.

AFS

WC § 16.04.165 Development Plan Review.

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Purpose: A Development Plan Review process is hereby established for the City of Westfield and Washington Township, Hamilton County, Indiana. The purpose of the Development Plan Review process is to: (i) promote innovation and creativity in the design of the built environment; and, (ii) assure the compatibility of new development or major additions to existing development with the surrounding community. The Development Plan Review Process shall be applicable to all zoning districts. The Development Plan Review Process shall be applicable to any: (i) new construction; (ii) building additions; (iii) new or expanded surface parking areas; (iv) new or expanded surface loading areas; (v) exterior building renovations that require a building permit; or, (vi) permanent signs that require a permit pursuant to WC 16.08 et seq., located within the planning and zoning jurisdiction of the Westfield-Washington Township Plan Commission. The approval or disapproval of a Development Plan is hereby delegated to the Plan Commission, or, in certain limited situations as set forth below, to the Community Development Community Development Director.

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A. Districts Designated for Development Plan Review.

The approval of a Development Plan shall be a prerequisite for any: (i) new construction; (ii) building additions; (iii) new or expanded surface parking areas; (iv) new or expanded surface loading areas; (v) exterior building renovations that require a building permit; or, (vi) permanent signs that require a permit pursuant to WC 16.08 et seq., in all zoning districts contained in this Ordinance.

B. Development Plan Authority.

1. Development Plan Authority Delegated to the Plan Commission.

The authority to approve or disapprove a Development Plan for the following developments is hereby delegated to the Plan Commission:

- a. any development for a use *other than* a Single Family Residential Use in a Residential District (AG-SF1, AG-SF-I, SF1, SF-A, SF2, SF3, SF4, SF5);
- b. any proposed development in any Multi-Family District (MF-1, MF-2);
- c. any proposed development in any Business District (GO, GO-PD, LB, LB-H, LB-PD, GB, GB-PD, SB, SB-PD);
- d. any proposed development in any Industrial District (EI, EI-PD, OI, OI-PD);
- e. any proposed development of a Single Family Subdivision (AG-SF1, AG-SF-I, SF1, SF-A, SF2, SF3, SF4, SF5); and,
- f. any proposed permanent signs, in any district, that require a permit pursuant to WC 16.08 et seq.

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2. Development Plan Authority Delegated to the Community Development Director.

The authority to approve or disapprove a Development Plan for any proposed development of or addition to a single family dwelling or accessory residential structure on *an individual lot* within a Residential District is hereby delegated to the Community Development Director.

C. Development Requirements - General.

Each Development Plan shall demonstrate compliance with the Development Requirements specific to each District as well as the following Development Requirements:

1. Compliance with all applicable development standards of the zoning district in which the real estate is located;
2. Compliance with all applicable provisions of any Overlay District in which the real estate is located;
3. Compliance with all applicable provisions of the Subdivision Control Ordinance (unless a waiver has been granted, in which case compliance with the terms and conditions of the waiver grant shall be required);
4. Compliance with all applicable provisions of this Chapter WC16.04.165 (unless a waiver has been granted, in which case compliance with the terms and conditions of the waiver grant shall be required);
5. The proposed development shall be appropriate to the site and its surroundings based upon the recommendations contained in the Westfield-Washington Township Comprehensive Plan;
6. The design and location of proposed street and highway access points shall minimize safety hazards and congestion;
7. The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development;
8. The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development; and,
9. The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

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D. Development Requirements for Each District.

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Development Plan Review¶

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1. Any development for a use other than a Single Family Residential Use in a Residential District (AG-SF1, AG-SF-I, SF1, SF-A, SF2, SF3, SF4, SF5).

- a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

Where site access has been officially approved by an agency other than the City of Westfield, the Westfield-Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

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- b. Landscaping – See WC 16.06 et seq.

- c. Lighting – See WC 16.07 et seq.

- d. Signs – See WC 16.08 et seq.

- e. Building Orientation.

- (1) No loading spaces or loading docks shall be permitted to face a public street.
- (2) Loading spaces or loading docks facing or oriented to a side or rear lot line of an adjoining Residential District shall be screened from view from such Residential District by the use of: (i) evergreen trees; or, (ii) a combination of overstory, understory or evergreen trees and a solid wall or fence, which creates a dense visual barrier to a minimum height of six (6) feet.

- f. Building Materials.

In order to insure compatibility of non-residential uses with surrounding residential uses in Residential Districts, all nonresidential uses shall use exterior

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building materials, roofline treatments and roofing materials that are compatible with and consistent with residential construction methods and materials.

2. Any Multi-Family District (MF-1, MF-2).

a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the project. Multi-family projects shall be provided with internal sidewalks or pathways along all internal streets as well as sidewalks or pathways along perimeter streets. All sidewalk or pathway systems shall be designed so as to connect to an existing or proposed sidewalk or pathway network.

Where site access has been officially approved by an agency other than the City of Westfield, the Westfield-Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

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- b. Landscaping – See WC 16.06 et seq.
- c. Green Space Areas – See WC 16.04.040 Multi-Family Districts.
- d. Lighting – See WC 16.07 et seq.
- e. Signs – See WC 16.08 et seq.
- f. Building Materials.

All new buildings or building additions located in any Multi-Family District shall utilize two (2) or more exterior building materials (excluding window, door, and roofing materials). The primary exterior building material used on each facade shall be either brick or Exterior Insulation and Finish System (E.I.F.S.) and shall constitute a minimum of seventy-five (75) percent of each facade.

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3. Any Business District (GO, GO-PD, LB, LB-H, LB-PD, GB, GB-PD, SB, SB-PD).

a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

Where site access has been officially approved by an agency other than the ~~City~~ of Westfield, the Westfield-Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

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b. Landscaping – See WC 16.06 et seq.c. Lighting – See WC 16.07 et seq.d. Signs – See WC 16.08 et seq.

e. Building Orientation.

- (1) Each building façade visible from a public street or oriented to an adjoining Residential District shall be a finished façade.
- (2) No loading spaces or loading docks shall be permitted to face a public street or an adjoining Residential District.
- (3) No outside storage shall be permitted between an established building line and the right-of-way of a public street or an adjoining Residential District.
- (4) All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served.

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f. Building Materials.

In order to create variation and interest in the built environment, all new buildings or building additions located within any Business District shall use the exterior building materials specified below on each facade visible from a public street or an adjoining Residential District:

- (1) All brick (excluding window, display window, door, roofing, fascia and soffit materials); or,
- (2) Two (2) or more building materials (excluding window, display window, door and roofing materials), provided, however, that the primary building material shall be either brick or Exterior Insulation and Finish System (E.I.F.S.) and shall constitute a minimum of sixty (60) percent of each facade visible from a public street or an adjoining Residential District.

The exterior building material selection shall be supplemented with the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.) or the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each facade visible from a public street or an adjoining Residential District:

4. Any Industrial District (EI, EI-PD, OI, OI-PD).

a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

Where site access has been officially approved by an agency other than the City of Westfield, the Westfield-Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

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b. Landscaping – See WC 16.06 et seq.

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- c. Lighting – See WC 16.07 et seq.
- d. Signs – See WC 16.08 et seq.
- e. Building Orientation.
 - (1) Each building façade visible from a public street or oriented to an adjoining Residential District shall be a finished façade.
 - (2) No loading spaces shall be permitted to face a public street or an adjoining Residential District.
 - (3) No outside storage shall be permitted between an established building line and the right-of-way of a public street or an adjoining Residential District.
 - (4) All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served.
- f. Building Materials.

In order to create variation and interest in the built environment, all new buildings or building additions located within any Industrial District shall use the exterior building materials specified below on each facade visible from a public street or an adjoining Residential District:

- (1) Brick or other masonry material. Other masonry materials shall include:
 - a. Architectural concrete, if the surface of the architectural concrete simulates brick or stone (e.g., limestone, marble, or, granite);
 - b. Pre-cast concrete, if the surface of the pre-cast concrete is painted, textured (e.g. rough, striated, imprinted with a pattern or form), or designed to simulate brick or stone (e.g., limestone, marble, or, granite);
 - c. External Insulation and Finish System (E.I.F.S.); or,
 - d. Stone.
- (2) If a masonry material other than brick is utilized, it shall be supplemented with the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.) or the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each facade visible from a public street or an adjoining Residential District.
- (3) The primary exterior building material shall constitute a minimum of sixty (60) percent of the available wall area (exclusive of window and doors) of

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each facade visible from a public street or an adjoining Residential District.

5. ~~Any Single Family Subdivision Development in a Residential District (AG-SF1, AG-SF-I, SF1, SF-A, SF2, SF3, SF4, SF5).~~

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Development Plan Review¶

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a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the subdivision. Subdivisions shall be provided with internal sidewalks or pathways along all internal streets as well as sidewalks or pathways along perimeter streets. All sidewalk or pathway systems shall be designed so as to connect to an existing or proposed sidewalk or pathway network.

Where site access has been officially approved by an agency other than the ~~City~~ of Westfield, the Westfield-Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

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- b. Landscaping – See WC 16.06 et seq.
- c. Lighting – See WC 16.07 et seq.
- d. Signs – See WC 16.08 et seq.
- e. Building Orientation.

In order to create variation and interest in the built environment, all new single family subdivisions shall utilize appropriate techniques (e.g., plat restrictions, building setback lines, or other method as approved by the Plan Commission) to accomplish the design objectives as set forth below:

At least one (1) of the following two (2) design objectives:

- (1) Development of single family subdivisions in which single family lots are

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so laid out that dwellings are located with the front of the dwelling oriented toward the perimeter street of the subdivision. This design objective may be accomplished through the utilization of frontage road in those instances where the classification of the perimeter street would prohibit individual lots from gaining direct access to the perimeter street; or,

- (2) Single family dwellings located on lots adjacent to a perimeter street of a subdivision and located so as to have a rear or side façade oriented to said perimeter street shall utilize multiple textures (e.g., rough, smooth, striated, etc.) or multiple architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each façade visible from the perimeter street; and,

At least two (2) of the following three (3) design objectives:

- (1) Development of single family subdivisions in which the front façade of an attached or detached front load garages are stepped back from the front building line by at least one-half of the depth of the single family dwelling on the lot;
- (2) Development of single family subdivisions in which the building setback line varies within each block face to eliminate monotonous building placement; or,
- (3) Development of single-family subdivisions in which no two single-family dwellings may be located on side to side adjacent lots with the same combination or proportion of roofing or siding materials on each façade visible from a public street. This design objective may be accomplished through the use of different combinations or proportions of roofing or siding materials on each front façade, like-oriented façade and facing façade of single-family dwellings located on adjacent lots and visible from a public street. Simple variation in color scheme shall not be deemed sufficient.

f. Building Materials.

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Development Plan Review

In order to create variation and interest in the built environment, all single family dwellings built in a single family subdivision in a Residential District (AG-SF1, AG-SF 1 I, SF1, SF-A, SF2, SF3, SF4 and SF5) shall be restricted in the use of roofing and siding materials on all façades as follows:

- (1) No single family dwelling shall utilize rolled roofing or tar paper as the visible final layer of roofing materials.

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- (2) No single family dwelling shall utilize vinyl siding on more than twenty-five (25) percent (exclusive of window or door areas) of any façade.

g. Development Plan as Requirement for Primary Plat Approval.

Approval shall not be granted to any primary plat unless a development plan shall have been approved prior to or contemporaneous with the primary plat.

E. Findings Required for Approval of a Development Plan.

The Plan Commission or Community Development Director may approve a Development Plan upon finding that:

1. The proposed development is consistent with the intent and purpose of the Westfield-Washington Township Comprehensive Plan; and,
2. The proposed development plan satisfies the development requirements specified in this Ordinance.

F. Development Requirements Which May Be Waived.

In order to encourage innovative building and site designs capable of enhancing the quality of the built environment of Westfield-Washington Township, the Plan Commission may, pursuant to IC 36-7-4-1402(b)(4), waive Development Requirements related to: Site Access and Site Circulation; Building Orientation; or, Building Materials, for the approval of a Development Plan upon making findings as specified in WC 16.04.165, G., below. The Plan Commission may not waive any other Development Requirements. Any other Development Requirement must be complied with unless a variance of such Development Requirement is obtained from the Board of Zoning Appeals.

If a Site Access waiver is requested, the Plan Commission may not grant such waiver unless a favorable review comment or letter regarding the site access waiver is received from the City, County or State agency having jurisdiction over access to and from the applicable street.

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G. Conditions for Waiver of Development Requirements.

The Plan Commission may approve a waiver of Development Requirements only upon finding that:

1. The proposed development represents an innovative use of site design / site access design / site circulation design / building orientation / building materials / landscaping which will enhance the use or value of area properties;
2. The proposed development will not be injurious to the public health, safety, morals or general welfare of Westfield-Washington Township;

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3. The strict application of the Development Requirements of the Westfield-Washington Township Zoning Ordinance will result in a development of the real estate which is undesirable when compared with the proposed development;
4. The proposed development is consistent with and compatible with other development located in the area; and,
5. The proposed development is consistent with the intent and purpose of the Westfield-Washington Township Comprehensive Plan.

H. Plan Documentation and Supporting Information.

All requests for Development Plan approval shall include the following plans, as set forth Subsection J., below:

1. Site Plan. *
2. Site Plan (for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).
3. Overall Plan. *
4. Landscape Plan. *
5. Building Elevations.
6. Lighting Plan. *
7. Sign Plan. *
8. Site Access and Site Circulation Plan. *
9. A Traffic Impact Study (when a proposed development meets or exceeds the warrants of the INDOT Traffic Impact Study Guidelines (i.e., (i) 150 or more dwelling units; (ii) 15,000 square feet or more of retail space; (iii) 35,000 or more square feet of office space; (iv) 70,000 square feet or more square feet of industrial space; (v) 30,000 square feet or more of educational space; (vi) 120 or more occupied rooms; (vii) 46,000 or more square feet of medical space; or, (viii) any mixed use development which generates 100 or more peak hour trips in the peak direction).
10. Statement of Development Build-out. *
11. Green Space Provisions. *
- * Items **not** required for an individual single family dwelling or accessory residential structure on an individual lot in a Residential District.

I. Procedures.

1. Application for Development Plan Approval by the Plan Commission shall be in compliance with the following procedures:

- a. Pre-Filing Conference.

A pre-filing conference with Staff is required prior to the filing of any Development Plan for public hearing before the Plan Commission. At the pre-filing conference, the petitioner shall provide three (3) copies of a preliminary sketch plan capable of depicting the proposed development.

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Staff may take up to ten (10) business days to review the proposed sketch plan and provide comments back to the petitioner. The petitioner is encouraged to incorporate the comments received from Staff into the design of the project prior to filing for Development Plan approval.

Notwithstanding anything contained in this Ordinance to the contrary, neither the Staff's conceptual review of the sketch plan nor Staff's comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed Development Plan.

b. Who May File.

Development Plans may be initiated by a petition signed by the owners of the land involved in the petition, or the owner's authorized agent. If an authorized agent files a petition, a signed and notarized consent form must accompany the application.

c. Filing Deadline.

All Development Plans shall be filed at least forty (40) days prior to the initial public meeting at which they are to be considered by the Plan Commission.

d. Forms of Filing.

All Development Plans for public hearing by the Plan Commission shall be on forms provided by Community Services Department. In addition, Site Plans, Overall Plans, Landscape Plans, Building Elevations, Lighting Plans, Sign Plans, Site Access and Site Circulation Plans, surveys, legal descriptions, proposed commitments and any other relevant supporting documentation shall be of a usable scale and quality. The number of copies of all petitions and supporting documentation required to be filed shall be as established by the Community Services Department.

e. Findings of Fact.

The petitioner shall, at the time of filing of the petition, file proposed detailed written findings of fact.

f. Specifying Request.

All Development Plans shall specify the approvals or waivers requested. Any items, even if indicated on the proposed Site Plan, Overall Plan, Building Elevations or Site Access and Site Circulation Plan, shall not be considered a part of the request presented to the Plan Commission for its consideration unless specified in the Development Plan.

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g. Docketing by Community Development Department.

Each Development Plan filed shall be reviewed for completeness. All Development Plans which are determined to be in proper form pursuant to the guidelines established by the Community Services Department shall, within ten (10) days of filing, be numbered and docketed by the Staff for an initial hearing by the Plan Commission.

h. Investigation of Petitions.

Upon assignment of a number and hearing date, a copy of the Development Plan and relevant supporting documentation shall be distributed to members of Staff and the members of the Technical Advisory Committee for review and comment.

The Community Development Director may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Development Plan, together with a recital of surrounding land use and public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Staff concerning the proposal contained in the Development Plan and a report from members of the Technical Advisory Committee. A copy of such statement shall be made available to the Petitioner and all remonstrators of record, if any.

i. Notice Requirements.

All notices for public hearings regarding a Development Plan Approval before the Plan Commission shall be provided in accordance with the current Westfield-Washington Township Advisory Plan Commission Rules of Procedure.

j. Conduct of Public Hearings.

Public Hearings for all docketed items shall be conducted in accordance with the current Westfield-Washington Township Advisory Plan Commission Rules of Procedure.

2. Application for Development Plan Approval by the Community Development Director shall be accomplished in compliance with the following procedures:

- a. All Development Plans for approval by the Community Development Director shall be on forms provided by Community Services Department. In addition, Site Plans, Building Elevations, surveys, legal descriptions, proposed commitments and any other relevant supporting documentation

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<#>Petitioners shall notify all contiguous property owners of public hearings via certified mail, which shall be received by the contiguous property owners at least ten (10) days prior to the date of public hearing.

<#>The petitioner must present a copy of public notice, proof of publication, and copies of certified mail receipts to the Community Services Department Staff at least five (5) days prior to the time of public hearing as proof of fulfilling due and proper notice requirements.

Any Development Plan, which has been delegated to Community Development Community Development Director for approval, may occur without public notice and without a public hearing.

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<#>Staff of the Plan Commission shall be given a reasonable time to introduce the matter being considered and for the presentation of evidence or statements regarding the petition being considered.

<#>Petitioners shall be allotted a reasonable time to present evidence, statements and arguments in support of the petition being considered.

<#>Plan Commission members shall be afforded the opportunity to ask questions about the petition of either Staff or the Petitioner.

<#>Members of the public interested in the petition, whether for or against the petition, shall be allotted a reasonable time to present evidence, statements and arguments related to the petition being considered.

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shall be of a usable scale and quality. The number of copies of a Development Plan and supporting documentation required to be filed shall be as established by the Community Services Department.

- b. Contact the Community Development Director to make an appointment to deliver the Development Plan and provide a brief explanation of the proposed development.
- c. Community Development Director shall have a period of not more than fifteen (15) days in which to review the proposed Development Plan and either make a decision concerning the Development Plan or request, in writing, additional information from the applicant.
- d. Community Development Director may seek the advice and comment of members of Staff or the Technical Advisory Committee prior to making a decision.
- e. Any Development Plan, which has been delegated to the Community Development Director, may occur without public notice and without a public hearing.
- f. Appeals of Determinations by Community Development Director.

Any determination of the Community Development Director made under the authority of this Chapter may be appealed by any interested party to the Plan Commission within five (5) business days of such decision by filing a letter with the Plan Commission. Such letter shall request a hearing on the matter by the Plan Commission at the Plan Commission's next regularly scheduled meeting for which published notice of the appeal pursuant to the current Westfield-Washington Township Advisory Plan Commission Rules of Procedure can be provided.

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3. Fees.

In order to defray administrative costs, the following fees shall be applicable:

- a. Development Plans filed for Plan Commission approval – See WC 16.04.180 Figures; or,
- b. Development Plans filed for Community Development Director's approval – included in the building permit fee.

The applicant shall pay all fees at the time of filing of a Development Plan.

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4. Hearings.

All public hearings regarding a Development Plan before the Plan Commission shall be conducted in accordance with the procedures set forth in the current Westfield-Washington Township APC Rules of Procedure.

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5. Amendments.

a. Amendments to Development Plans pending determination by the Plan Commission.

(1) Amendments Proposed at a Public Hearing.

The applicant may make amendments to Development Plans pending determination by the Plan Commission at any time prior to a vote being called for by the Plan Commission. If, in the sole discretion of the Plan Commission, the proposed amendment is of such a nature that additional time is needed for review, the Plan Commission may continue the consideration of such amended Development Plan to the next meeting of the Plan Commission.

The Plan Commission, in its sole discretion, may assign a continued Development Plan to a committee of the Plan Commission for further review and evaluation prior to the next meeting of the Plan Commission.

If amendments are presented by the Petitioner and agreed to by the Plan Commission at the public hearing, revised plans indicating all amendments, as approved by the Plan Commission, shall be filed with the Community Services Department within thirty (30) days of the Plan Commission hearing or prior to the issuance of an Improvement Location Permit, whichever is earlier.

(2) Amendments To Development Plans Prior To Preparation of a Staff Report.

In order for the written Staff Report regarding a Development Plan to include comments and recommendations related to plans amended in response to comments provided by Staff or members of the Technical Advisory Committee, any such amendments must be received by Staff at least two (2) weeks prior to the scheduled public hearing by the Plan Commission.

If the Community Development Director determines that additional changes have been made to the Development Plan

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beyond those necessary to comply with the recommendations of Staff or members of the Technical Advisory Committee, the Community Development Director may continue the public hearing of the Development Plan before the Westfield-Washington Township Plan Commission and require the re-submittal of the amended plans for review by Staff and members of the Technical Advisory Committee.

- b. Amendments To Development Plans Pending Determination By The Community Development Director.

The applicant may make amendments to Development Plans pending determination by the Community Development Director at any time prior to a determination being made by the Community Development Director. If, in the sole discretion of the Community Development Director, the proposed amendment is of such a nature that additional time is needed for review, the amended Development Plan shall be deemed a new filing and shall be reviewed within the time frames set forth in WC 16.04.165, I., 2., above for the initial review of Development Plans by the Community Development Director.

- c. Amendments to Approved Development Plans.

Minor amendments to Development Plans which have already received approval from the Plan Commission or the Community Development Director and which do not involve: (a) an increase in height, area, bulk or intensity of land uses; (b) the designation of additional land uses; (c) the reduction in perimeter yards; (d) the addition of driveways or access points; or, (e) reduction in the amount of parking for any use, may be authorized by the Community Development Director without a public hearing in its continuing administration of the Development Plan if, in the determination of the Community Development Director, the requested minor amendments do not adversely impact the purpose or intent of the overall development.

Such minor amendments authorized by the Community Development Director shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.

If the Community Development Director determines that the proposed minor modification is of such a nature as to adversely impact the purpose or intent of the overall development, or if the proposed modification includes an increase in intensity of any land use or if the proposed modification includes the designation of an additional land use(s), petitioner shall be required to file a new petition for Development Plan Approval.

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Any decision of the Community Development Director regarding the amendment of Development Plan may be appealed by any interested party to the Plan Commission within thirty (30) days of such determination.

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6. Signature for Findings.

All findings specified above for the approval of a Development Plan shall be reduced to writing and signed by the Community Development Director of the Community Services Department in the case of a determination by the Community Development Director, or by the President of the Plan Commission in the case of a determination by the Plan Commission, and retained as a part of the permanent record of the determination.

J. Plan Documentation.

1. Site Plan (For Site Plan requirements for individual single family dwellings or accessory residential structure on an individual lot in a Residential District, see WC 16.040165, J., 2.).

A site plan (indicates the nature of the proposed development) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of the site;
- d. Proposed name of the development;
- e. Area map insert showing the general location of the site referenced to major streets, section lines and Alternative Transportation System, as well as the zoning and land use of adjacent property;
- f. Legal description of the site;
- g. Boundary lines of the site including all dimensions of the site;
- h. Names, centerlines and right-of-way widths of all streets, alleys and easements;
- i. Layout, number, dimension and area (in square feet and acres) of all lots and out lots with zoning setback lines or building setback lines;
- j. Location and dimensions of all existing structures, including paved areas;
- k. Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;
- l. Location and name of all existing and proposed public or private streets, access easements, Alternative Transportation System, and rights-of-way within two-hundred (200) feet of the site;
- m. Location of all floodway and floodway fringe areas within the boundaries of the site;
- n. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;

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- o. Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - # of parking spaces required and provided, residence - # of dwelling units per net acre, office - gross floor area);
- p. Structures proposed for demolition should be indicated as such;
- q. Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line.);
- r. Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);
- s. All improvements to street system on-site and off-site;
- t. Plan for sidewalks or Alternate Transportation System;
- u. Measurement of curb radius and/or taper;
- v. Names of legal ditches and streams on or adjacent to the site;
- w. Location and type (e.g. ground, pole, wall) of all signs on the site;
- x. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails or other similar uses;
- y. Existing zoning and land use of all adjoining real estate; and,
- z. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Community Development Director.

Community Development Director, in its sole discretion, may, in writing, waive or relax any of the Site Plan requirements listed above, which are not necessary to support a thorough review of the project.

2. Site Plan (Required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

A site plan (indicates the nature of the proposed development) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of the site;
- d. Legal description of the site;
- e. Boundary lines of the site including all dimensions of the site;
- f. Names, centerlines and right-of-way widths of all streets, alleys and easements;
- g. Location and dimensions of all existing structures, including paved areas;
- h. Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;
- i. Location of all floodway and floodway fringe areas within the boundaries of the site;
- j. Location of all existing and proposed utility facilities and easements,

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including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;

- k. Use of each structure by labeling and size (e.g. one story house – 1,200 sq. ft., detached garage – 576 sq. ft., storage shed – 120 sq. ft.);
- l. Structures proposed for demolition should be indicated as such;
- m. Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line.);
- n. Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);
- o. Measurement of curb radius and/or taper;
- p. Names of legal ditches and streams on or adjacent to the site; and,
- q. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Community Development Director.

Community Development Director, in its sole discretion, may, in writing, waive or relax any of the Site Plan requirements listed above, which are not necessary to support a thorough review of the project.

- 3. Overall Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

An Overall Plan (if applicable, indicates the nature of the subject project and its relationship to the major features of the larger integrated center of which the project is a part) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of the site;
- d. Proposed name of the development;
- e. Area map insert showing the general location of the site referenced to major streets, section lines and Alternative Transportation System, as well as the zoning and land use of adjacent property;
- f. Legal description of the site;
- g. Boundary lines of the site including all dimensions of the site;
- h. Names, centerlines and right-of-way widths of all streets, alleys and easements;
- i. Layout, number, dimension and area (in square feet and acres) of all lots and out lots with zoning setback lines and/or building setback lines;
- j. Location and name of all existing and proposed public or private streets, access easements, Alternative Transportation System, and rights-of-way within two-hundred (200) feet of the site;
- k. Location of all floodway and floodway fringe areas within the boundaries

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- of the site;
- l. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;
- m. All improvements to street system on-site and off-site;
- n. Plan for sidewalks or Alternate Transportation System;
- o. Location, dimensions, and type (e.g. ground, pole, wall) of all signs on the site. Include separate elevations of proposed sign structures with all dimensions drawn to scale;
- p. Areas reserved for park, recreation, conservation, wetland, common area, lake or other similar uses;
- q. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Community Development Director.

Community Development Director, in its sole discretion, may, in writing, waive or relax any of the Overall Plan requirements listed above, which are not necessary to support a thorough review of the project.

- 4. Landscape Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Landscape Plans filed in connection with the submission of a Development Plan shall: indicate compliance with the requirements of WC 16.06, et seq. - Landscaping Standards; be drawn to scale of not more than 1"=100'; and, include the following items:

- a. Names and addresses of owners, developers, plan preparers, plan preparation dates, graphic scale of drawings, and north arrow;
- b. Address of the site;
- c. Proposed name of the development;
- d. Locations and dimensions of all existing and proposed structures, parking lots, driveways, roadways, rights-of-way, sidewalks, pedestrian pathways, bicycle pathways, ground signs, refuse disposal areas bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines, easements, freestanding structural features, landscape improvements, earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, courts, paved areas, buffer yards, primary and secondary green space areas, and green belt space;
- e. Locations, quantities, sizes and names (botanical names and common names) – of planting materials;
- f. Existing and proposed grading plans, indicating contours at not more than two-foot intervals;
- g. Locations of barriers to be placed at or beyond the driplines of trees to be preserved and types of materials to be used for barriers;

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- h. Planting and installation details as necessary to ensure conformance with required standards;
- i. Details indicating specific grading measures or protective devices to be utilized where trees are to be preserved in areas of cut and fill;
- j. Tables clearly displaying relevant statistical information, including numbers of existing trees, numbers of trees to be preserved, etc.;
- k. Overlay sheets at the same scale as landscape plans that display locations, sizes, and common names of individual trees that measure eight (8) inches or more in caliper, areas of dense trees or shrubs, and other natural areas which are to be preserved or removed; and,
- l. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Community Development Director.

Community Development Director, in its sole discretion, may, in writing, waive or relax any of the Landscape Plan requirements listed above, which are not necessary to support a thorough review of the project.

5. Building Elevations.

Building Elevations filed in connection with the submission of a Development Plan shall be drawn to scale and shall include the following items:

- a. Address of the site;
- b. Proposed name of the development;
- c. Graphic scale;
- d. Elevations for each facade of the building;
- e. Specification or sample of the type and color of building materials to be used for all wall, window, roof and other architectural features;
- f. A separate true color rendering of the proposed building, including any proposed wall sign; *
- g. Placement, size, color and illumination details for any proposed wall sign; *
- h. Details of any exterior architectural lighting proposed on or around the building; *
- i. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Community Development Director.

Community Development Director, in its sole discretion, may, in writing, waive or relax any of the Building Elevation requirements listed above, which are not necessary to support a thorough review of the project.

- * Items not required for an individual single family dwelling or accessory residential structure on an individual lot in a Residential District.

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6. Lighting Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Lighting Plans filed in connection with the submission of a Development Plan shall: indicate compliance with the requirements of WC 16.07 et seq. - Lighting Standards, be drawn to scale of not more than 1"=100', and, include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of the site;
- d. Proposed name of the development;
- e. Boundary lines of the site including all dimensions of the site;
- f. Location and dimensions of all existing structures, parking areas and walkways;
- g. Type and location of all exterior of lighting fixtures, including, wattage and type of light;
- h. Intensity of lighting at base of light structure and at the lot line measured in foot candles;
- i. If architectural building lighting is proposed, indicate the location, type and intensity of lighting on each building façade. (If architectural building lighting is proposed, the photometric plan required in item h. above, shall include the architectural building lighting in the measurement of overall light intensity at the lot line.);
- j. Timing of lighting and method of control of lighting; and,
- k. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Community Development Director.

Community Development Director, in its sole discretion, may, in writing, waive or relax any of the Lighting Plan requirements listed above, which are not necessary to support a thorough review of the project.

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7. Sign Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Sign Plans filed in connection with the submission of a Development Plan shall; indicate compliance with the requirements of WC 16.08 et seq. - Sign Standards; be drawn to scale; and, include the following items:

- a. Address of the site;
- b. Proposed name of the development;
- c. Graphic scale;
- d. A site plan indicating the location of any existing or proposed freestanding signs;
- e. A site plan indicating the location of any building upon which a sign is to be mounted, with the location of the signs indicated;
- f. Elevation of proposed signs including size, materials and color;
- g. A true color rendering of the proposed signs;
- h. Illumination details for proposed signs, including the timing of sign illumination and method of control of such illumination; and,
- i. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Community Development Director.

Community Development Director, in its sole discretion, may, in writing, waive or relax any of the Sign Plan requirements listed above, which are not necessary to support a thorough review of the project.

8. Site Access and Site Circulation Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

A Site Access and Site Circulation Plan shall be required all development, except individual single family homes. The Site Access and Site Circulation Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

- a. North arrow;
- b. Graphic scale;
- c. Address of site;
- d. Proposed name of the development;
- e. Area map insert showing the general location of the site referenced to major streets, section lines and Alternate Transportation System;
- f. Names, centerlines and right-of-way widths of all streets, alleys and easements;
- g. Location and name of all existing and proposed public or private streets, access easements and rights-of-way within two-hundred (200) feet of the site;

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- h. Location of any proposed or existing driveway onto a street or alley and its width at the lot line;
- i. Depictions of all travel lanes, turning movements, vehicle storage areas and tapers, including dimensions, at all driveways;
- j. All improvements to the street system on-site and off site;
- k. Centerline measurements between all existing and proposed driveways within two-hundred (200) feet of the site;
- l. Measurement of curb radius and/or taper;
- m. Location and dimensions of primary vehicular ways in and around the proposed development;
- n. Location of any proposed or existing sidewalk or pathway;
- j. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Community Development Director.

The Site Access and Site Circulation Plan requirements listed above may be incorporated into the required Site Plan.

Community Development Director, in its sole discretion, may, in writing, waive or relax any of the Site Access and Site Circulation Plan requirements listed above, which are not necessary to support a thorough review of the project.

9. Traffic Impact Study (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

A Traffic Impact Study shall be required when a proposed development will meet or exceed the warrants of the INDOT Traffic Impact Study Guidelines (i.e., (i) 150 or more dwelling units; (ii) 15,000 square feet or more of retail space; (iii) 35,000 or more square feet of office space; (iv) 70,000 square feet or more square feet of industrial space; (v) 30,000 square feet or more of educational space; (vi) 120 or more occupied rooms; (vii) 46,000 or more square feet of medical space; or, (viii) any mixed use development which generates 100 or more peak hour trips in the peak direction). A registered professional engineer shall prepare the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, an applicant shall meet with the Staff of the Community Development Department to determine an appropriate scope for the Traffic Impact Study.

10. Statement of Development Build-Out (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Petitioner shall indicate, either on the submitted site plan, overall plan or in writing, a statement of: (i) the order of development of the major infrastructure elements of the project; (ii) project phase boundaries, if any; (iii) the order and

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content of each phase; and, (iv) an estimate the time frame for build-out of the project.

11. Green Space Provisions (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

Petitioner shall indicate, either on the submitted landscape plan or in writing, along with any necessary explanatory materials or graphics, a statement of the nature and extent of all existing and proposed green space on the real estate.

K. Transitional Rules.

Any application for Development Plan or Improvement Location Permit which has been filed with the Community Development Department of Westfield-Washington Township and which application is full and complete under the provisions of the Westfield-Washington Township Zoning Ordinance prior to the effective date of this Ordinance shall continue to be processed to completion pursuant to the terms and conditions of the Westfield-Washington Township Zoning Ordinance in effect at the time of making such application.

In the case of a Development Plan subject to these Transitional Rules, substantial completion shall occur within two (2) years of the date of approval by the Plan Commission. The Community Development Director may, for good cause shown, grant a one-time extension of up to one (1) year in duration to obtain substantial completion. If substantial completion has not occurred within two (2) years of the date of approval, or by the end of the one (1) year extension period if granted by the Community Development Director, the developer shall present a Special Request before the Plan Commission for an extension of time in which to achieve substantial completion. If an extension of time is either: not requested; or, denied by either the Community Development Director or the Plan Commission, the prior Development Plan approval shall be deemed null and void and any further development of the site shall require the approval of a new Development Plan in compliance with the terms and provisions of the Westfield-Washington Township Zoning Ordinance in effect at the time of filing of the new Development Plan.

Substantial completion shall mean, by way of example, the completion of infrastructure or structural improvements which are essential to: (i) the safe and efficient development of eighty (80) percent or more of the lots in a subdivision; or, (ii) the safe habitability, use or function of a structure.

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In order to provide all interested parties with a fair hearing, Petitioners and remonstrators shall be afforded a reasonable amount of time for the presentation of evidence, statements and argument at the public hearing of every Petition before the Plan Commission. The order of the presentation of evidence, statements and arguments shall be as follows:

Staff of the Plan Commission shall be given a reasonable time to introduce the matter being considered and for the presentation of evidence or statements regarding the petition being considered.

Petitioners shall be allotted a reasonable time to present evidence, statements and arguments in support of the petition being considered.

Plan Commission members shall be afforded the opportunity to ask questions about the petition of either Staff or the Petitioner.

Members of the public interested in the petition, whether for or against the petition, shall be allotted a reasonable time to present evidence, statements and arguments related to the petition being considered.

The Petitioner shall have a reasonable opportunity for rebuttal, which shall include only evidence, statements and argument in rebuttal of or in response to comments of Staff, the Plan Commission or members of the public, and a brief closing statement.

At the conclusion of remarks by any party, the Plan Commission shall have the right to ask questions pertaining to the evidence, statements and argument presented

The presiding officer shall have authority to cut off repetitious and irrelevant testimony and shall make reasonable efforts to allow equal time for Petitioners and remonstrators.

All persons appearing at a public hearing shall act in an orderly and courteous manner. Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of the privileges extended by the Plan Commission and shall be dealt with by the presiding officer as is deemed fair and proper.

Exhibit “B”
WC 16.04.170 Board of Zoning Appeals

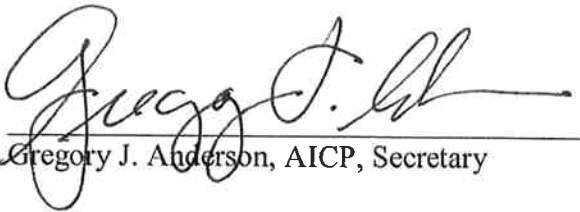
**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Advisory Plan Commission met on Monday, January 28, 2008, to consider a revision to Section 16.04.170 Board of Zoning Appeals of the Westfield-Washington Township Zoning Ordinance. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed rezone is as follows:

0801-ZOA-02 WC 16.04.170 Board of Zoning Appeals, Revisions to
Section 16.04.170 Board of Zoning Appeals of the Westfield-Washington
Township Zoning Ordinance to establish criteria for the grant of
Special Exceptions, proposed by Westfield Community Development.

A motion was made and passed to send a positive recommendation to the City Council to approve the revision request for 0801-ZOA-02.

I, Gregory J. Anderson, AICP, being the Secretary of the Westfield-Washington Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Advisory Plan Commission held on January 28, 2008.



Gregory J. Anderson, AICP, Secretary

January 31, 2008
Date

0801-ZOA-02 WC 16.04.170 Board of Zoning Appeals, Revisions to Section 16.04.170 Board of Zoning Appeals of the Westfield-Washington Township Zoning Ordinance to establish criteria for the grant of Special Exceptions, proposed by Westfield Community Development.

Anderson reviewed the staff report.

Sanders moved to open the Public Hearing for 0801-ZOA-02 at 8:05 p.m.

Kelleher seconded, and the motion passed by voice vote.

Spoljaric asked if the addition was taken from the Indiana Code.

Anderson responded yes.

Kelleher moved to send 0801-ZOA-02 to the Westfield City Council with a positive recommendation.

Emigh seconded, and the motion passed by voice vote.

WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION

Petition Number	0801-ZOA-02
Zoning Ordinance Section	WC 16.04.170
Title	Special Exceptions Criteria
Request(s)	Amendment to the Board of Zoning Appeals ordinance of the Westfield-Washington Township Zoning Ordinance to establish criteria for the grant of Special Exceptions per the State of Indiana Code 36-7-4-918.2.
Exhibits	1) Staff Report, WCD, 01/28/08 2) Proposed Text Amendment, WCD, 01/28/08

SUMMARY

During the revision to the Board of Zoning Appeals (BZA) Rules of Procedure, it came to staff's attention that the Westfield-Washington Township Board of Zoning Appeals Ordinance did not directly meet the requirements of the State of Indiana Code 36-7-918.2. The code states that the criteria for a Special Exception must be defined in the local municipality's zoning ordinance.

The proposed amendment does not include global changes to the Board of Zoning Appeals Ordinance. The amendment is the addition of the Special Exception standards previously established by the Board of Zoning Appeals. Since this is a requirement of State Code and the standards for the Special Exception have been previously established, this amendment was not taken before the Standards Committee for review.

ANALYSIS

The proposed change to the ordinance is in blue underline. The language was taken directly from the previously established standards and no changes were made.

PROCEDURAL

- o Notice of this amendment was published in newspapers of general circulation in accordance with applicable State statutes.
- o The January 28, 2008 hearing before the Advisory Plan Commission represents the first public hearing for this proposed amendment.
- o Copies of the proposed text amendment have been made available to the public in advance of the published hearing date.
- o This matter requires a Public Hearing.
- o The Advisory Plan Commission issues a recommendation to the Westfield City Council in regard to proposed changes in zoning.
- o The Advisory Plan Commission has the option of issuing a recommendation on this request, forwarding this request to appear before a workshop meeting of the

APC, tentatively scheduled for February 4, 2008 for further consideration if deemed necessary, or requesting this petition be continued to a later meeting of the APC.

RECOMMENDATION

Staff recommends approval of the amendment as presented and to forward the amendment to the City Council on February 11, 2008 for consideration.

JMM

WC 16.04.170 Board of Zoning Appeals

A Board of Zoning Appeals is hereby established with membership and appointment provided in accordance with the procedures of IC 36-7-4 and all acts now or hereafter amendatory thereto.

- A. At the first meeting of each year, the Board shall elect a chairman and a vice-chairman from among its members.
- B. The Board shall adopt rules and regulations as it may deem necessary to effectuate the provisions of this ordinance.
- C. All meetings of the Board shall be open to the public. The board shall keep minutes of its proceedings, keep records of its examinations and other official actions, prepare findings, and record the vote of each member voting upon each question. All minutes and records shall be filed in the office of the Board and shall be a public record.
- D. Any decision of the Building Commissioner in enforcement of this Ordinance may be appealed to the Board by any person claiming to be adversely affected by such decision.
- E. The board shall have the following powers and it shall be its duty to:
 - 1. Hear and determine appeals from and review any order, requirement, decision or determination made by the Building Commissioner in the enforcement of this Ordinance.
 - 2. Permit or deny special exceptions, special or contingent uses, or conditional uses from the requirements of the Zoning Ordinance. The Board may impose reasonable conditions as a part of its approval.
 - 3. Approve variances that:
 - a) Will not be injurious to the public health, safety, morals, and general welfare of the community;
 - b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
 - c) The need for the variance arises from some condition particular to the property involved;
 - d) The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and

- e) Does not interfere substantially with the comprehensive plan.
- F. In exercising its powers, the Board may reverse or affirm wholly or partly, or may modify the order, requirements, decisions or determination appealed from as in its opinion ought to be done in the premises, and to that end shall have all the powers of the Building Commissioner and Planner from whom the appeal is taken.
- G. Every decision of the Board shall be subject to review by certiorari.
- H. The Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk or area) of the Zoning Ordinance. A variance may be approved under this section only upon a determination that:
 - 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 - 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
 - 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.
- I. Any request not approved by the Board of Zoning Appeals may be resubmitted after 12 months from the date of the Board of Zoning Appeals action.
- J. The board shall be governed by the provisions of WC 16.04.080 concerning variances applicable to the flood plain district.
- K. The criteria for special exceptions are listed below. The Board of Zoning Appeals shall have the authority to grant lesser variance than requested upon finding justice shall be served, or may require conditions to mitigate the impact of any special exception.
 - 1. The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health safety morals or general welfare.
 - 2. The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property value within the neighborhood.
 - 3. The establishment of the special exception will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
 - 4. Adequate utilities, streets drainage and other necessary facilities have been or are being improved.

5. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion.
6. The special exception will be located in a district where such use is permitted and that all other requirements set forth, applicable to such special exception, will be met.

Exhibit “C”
WC 16.04.210 Definitions (Signage)

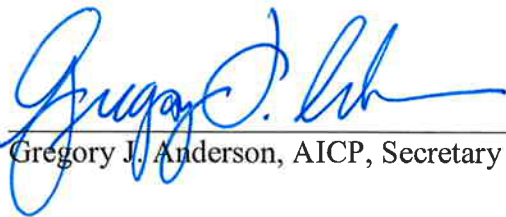
**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Advisory Plan Commission met on Tuesday, February 19, 2008, to consider a revision to Section 16.04.210 Definitions of the Westfield-Washington Township Zoning Ordinance to modify sign definitions. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed zoning ordinance amendment is as follows:

0801-ZOA-03 WC 16.04.210 Definitions; Revisions to Section 16.04.210
Definitions of the Westfield-Washington Township Zoning Ordinance to
modify sign definitions, proposed by Westfield Community Development

A motion was made and passed to send a positive recommendation to the City Council to approve 0801-ZOA-03.

I, Gregory J. Anderson, AICP, being the Secretary of the Westfield-Washington Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Advisory Plan Commission held on February 19, 2008.



Gregory J. Anderson, AICP, Secretary

February 22, 2008
Date

0801-ZOA-03 WC 16.04.210 Definitions; Revisions to Section 16.04.210 Definitions of the Westfield-Washington Township Zoning Ordinance to modify sign definitions, proposed by Westfield Community Development Department.

Smith stated the Public Hearing on this item remains open.

Anderson stated this is a continuation from January 28 and that no additional public hearing is required though it is still open. Anderson discussed changes to definitions which are related to second story signage. He further stated the changes are minor not to create conflict to the ordinance already passed, but cautioned the Commission that any more changes may cause conflict between the two ordinances.

Kelleher moved to send 0801-ZOA-03 to the City Council with a positive recommendation.

Spoljaric seconded, and the motion passed 7-0.

**WESTFIELD / WASHINGTON
ADVISORY PLAN COMMISSION**

Petition Number	0801-ZOA-03
Zoning Ordinance Section	WC 16.04.210
Title	Associated Definitions for Upper-Floor Tenant Sign Standards (0710-ZOA-03; Ord. 07-37)
Request	Define terms used in Sign Standards amendment, Ord. 07-37
Petitioner	Westfield Community Development Department
Exhibits	1) WCD Staff Report, 01/28/08 2) Draft Definitions, 01/28/08

PETITION HISTORY – FEBRUARY 19, 2008

The Westfield / Washington Advisory Plan Commission (APC) held the public hearing on this petition on January 28, 2008. At that meeting, the petition was forwarded to the February 4, 2008 APC Workshop meeting for further discussion. At the February APC Workshop meeting, the petition was forwarded back to the February 19, 2008 APC meeting for recommendation to the City Council.

SUMMARY

During the process of amending the Sign Standards for the Upper-Floor Tenant Signage (0710-ZOA-03; Ord. 07-37), definitions for new terminology that was used in the amendment were drafted. Proper notice for changes to the Definitions section of the Zoning Ordinance was not included in the original 0710-ZOA-03 petition.

The proposed amendment to the Definitions section of the Zoning Ordinance was presented to the APC for their consideration at the November 26, 2007 APC meeting. This petition does not offer global changes to the Definitions section of the Zoning Ordinance, nor does it attempt to define all undefined terms in the Sign Standards. Additionally, this amendment addresses only new terms, it does not change any previously-established definitions. This petition offers definitions to terms that were specifically used in the amendment 0710-ZOA-03; Ord. 07-37.

ANALYSIS

The proposed definitions of new terminology used in the Sign Standards section of the Zoning Ordinance are included in Exhibit 2.

PROCEDURAL

- o The public hearing was held on January 28, 2008; an additional public hearing is not required.

- o The APC has the option to recommend approval, recommend approval with proposed changes, recommend denial, or refer this request to the APC Workshop Meeting, scheduled for March 3, 2008, for further consideration if deemed necessary.

RECOMMENDATION

Issue a positive recommendation to the Westfield City Council.

KMT

WC 16.04.210 Definitions

Canopy – A rigid roof-like cover intended and used for the purpose of sheltering persons from weather, finished with metal or other material, extending from and supported by a building at one or more points and by columns or posts imbedded in the ground at other points.

Elevation – An orthographic projection of an object or structure on a vertical picture plane.

Fenestration – Windows, doors and other exterior openings of a building.

Front building elevation – The elevation of a structure oriented toward the public right-of-way on which the structure is addressed.

Patron entrance – A pedestrian entrance intended to be used by the public that provides public access into a building or structure.

Sign, building identification – A sign identifying a pedestrian access to a structure that does not include any tenant information.

Sign, ground directory – A sign adjacent to a building entrance, supported by one or more uprights anchored in the ground with an overall height not to exceed five (5) feet, and of a size and scale intended to be viewed by pedestrians for the purpose of identifying second floor and upper floor tenants.

Sign, ground floor in-line tenant – Wall or awning sign for any tenant within a multi-tenant building where each individual tenant has an exterior store front and patron entrance at grade level.

Sign, second floor tenant – Wall or awning sign for any tenant within a multi-tenant building where that portion of a building included between the floor surface above the ground floor and the surface of the next floor above.

Sign, transom window – A building identification sign located within a transom window, identifying a pedestrian access to a structure that does not include any tenant information.

Sign, upper floor tenant – Wall or awning sign for any tenant within a multi-tenant building where that portion of a building included between the floor surface and the surface of any floor above, starting above the second story.

Sign, wall directory – A sign attached to a building and of a size and scale intended to be viewed by pedestrians for the purpose of identifying second floor and upper floor tenants.

Signage, multi-story multi-tenant – the combination of ground floor in-line tenant signs and upper floor tenant signs on a multi-story multi-tenant structure.

Signage, two-story multi-tenant – the combination of ground floor in-line tenant signs and second floor tenant signs on a two-story multi-tenant structure.

Structure, multi-story multi tenant – a commercial building that has, or has the appearance of, no less than three (3) stories in height. The building shall have more than one occupant or tenant.

Structure, two-story multi-tenant – a commercial building that has, or has the appearance of, no more and no less than two (2) stories in height. The building shall have more than one occupant or tenant.

Tenant – A person, company, or organization who occupies land or a building for a fixed time, usually through a lease agreement with the property owner.

Tenant, ground floor in-line – A tenant located on the first floor of a multi-tenant building, other than a cellar or basement where each individual tenant has an exterior store front and patron entrance.

Tenant, second floor – A tenant located where that portion of a building included between the floor surface above the designated ground floor and the surface of the next designated floor above.

Tenant, upper floor – A tenant located where that portion of a building included between the designated floor surface and the surface of any floor above, starting above the designated second story.

Transom window – A window above the cross piece separating a door or doorway from a window.

Exhibit “D”
WC 16.04.010 Lighting

**WESTFIELD-WASHINGTON ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Advisory Plan Commission met on Monday, January 28, 2008, to consider a revision to Section 16.07.010 Lighting, of the Westfield-Washington Township Zoning Ordinance. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed rezone is as follows:

0801-ZOA-04 WC 16.07.010 Lighting, Revisions to Section 16.07.010
Lighting of the Westfield-Washington Township Zoning Ordinance to provisions
for sign lighting, proposed by Westfield Community Development.

A motion was made and passed to send a positive recommendation to the City Council to approve the revision request for 0801-ZOA-04.

I, Gregory J. Anderson, AICP, being the Secretary of the Westfield-Washington Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Advisory Plan Commission held on January 28, 2008.



Gregory J. Anderson, AICP, Secretary

January 31, 2008
Date

0801-ZOA-04 WC 16.07.010 Lighting, Revisions to Section 16.07.010 Lighting of the Westfield-Washington Township Zoning Ordinance to provisions for sign lighting, proposed by Westfield Community Development.

Kelleher moved to open the Public Hearing on 0801-ZOA-04 at 8:12 p.m.

Emigh seconded, and the motion passed by voice vote.

Anderson reviewed the staff report.

Kelleher asked if the word “neon” was necessary since the technology is changing.

Anderson stated the word “neon” could be removed.

Sanders moved to remove the word “neon” from 0801-ZOA-04.

Emigh seconded, and the motion passed by voice vote.

Sanders moved to send 0801-ZOA-04 as amended to the Westfield City Council with a positive recommendation.

Stokes seconded, and the motion passed by voice vote.

**WESTFIELD / WASHINGTON
ADVISORY PLAN COMMISSION**

Petition Number	0801-ZOA-04
Zoning Ordinance Section	WC 16.07.010
Title	Associated Sign Lighting Standards for Upper-Floor Tenant Sign Standards (0710-ZOA-03; Ord. 07-37)
Request	Sign Lighting Standards (in association with Sign Standards amendment, Ord. 07-37)
Petitioner	Westfield Community Development Department
Exhibits	1) WCD Staff Report, 01/28/08 2) Proposed Text Amendment, 01/28/08

SUMMARY

During the process of amending the Sign Standards for the Upper-Floor Tenant Signage (0710-ZOA-03; Ord. 07-37), new lighting standards for reverse-channel lettering were drafted. Proper notice for changes to the Lighting Standards section of the Zoning Ordinance was not included in the original 0710-ZOA-03 petition.

The proposed amendment to the Lighting Standards was presented to the APC for their consideration at the November 26, 2007 APC meeting. The proposal was also reviewed by the Standards Subcommittee of the APC at their November 13, 2007 meeting. This petition does not offer global changes to the Lighting Standards. This petition offers a new set of lighting regulations for all reverse-channel lettering.

ANALYSIS

The proposed text amendment can be found in blue underlined text in Exhibit 2.

PROCEDURAL

- o Notice of this proposed text amendment was published in newspapers of general circulation in accordance with applicable State statutes.
- o Copies of the proposed text amendment have been made available to the public in advance of the published hearing date.
- o This matter requires a Public Hearing.
- o The Advisory Plan Commission issues a recommendation to the Westfield City Council in regard to proposed changes in zoning.
- o The APC has the option to recommend approval, recommend approval with proposed changes or conditions, recommend denial, or refer this request to the APC Workshop Meeting, tentatively scheduled for February 4, 2008, for further consideration if deemed necessary.

RECOMMENDATION

Issue a positive recommendation to the Westfield City Council.

ALTERNATE RECOMMENDATION

Refer this petition to the first-available workshop meeting for further discussion.

KMT

Chapter 7

Outdoor Lighting Standards

WC 16.07.010 General Provisions

A. Purpose and Intent.

Westfield-Washington Township wishes to enhance the visual environment of the nighttime sky, protect the public health, safety and welfare, provide safe roadway conditions for motorists, cyclists, and pedestrians, and promote energy efficient, cost effective lighting while minimizing light pollution, intrusion and trespass from uncontrolled light sources. It is the intent of this Chapter to minimize the intrusion of lighting across property lines and into the nighttime sky, thereby avoiding a disruption to the quality of life of Washington Township residents.

B. Applicability.

These regulations shall be applicable to all outdoor lighting sources within Westfield-Washington Township, which:

1. Are newly designed, constructed, erected or placed into operation after the effective date of this chapter; and
2. Require the relocation or replacement of existing lighting fixtures commenced after the effective date of this chapter.

C. Exceptions.

Exceptions to these lighting standards shall include the following:

1. All outdoor light fixtures permitted prior to the adoption of these regulations (Ord. 02-39, December 9, 2002) shall be exempt from the shielding requirements of this chapter, except that when an outdoor light fixture becomes inoperable, the replacement light fixture shall comply with the standards of this chapter;
2. All hazard warning lighting required by Federal and State regulatory agencies shall be exempt from the requirements of this chapter;
3. All temporary emergency lighting required by local law enforcement, emergency service and utility department(s), shall be exempt from the requirements of this chapter;
4. All traffic control and directional lighting shall be exempt from the requirements of this chapter;

5. All underwater lighting used for the illumination of swimming pools and water features shall be exempt from the lamp type and shielding standards of this chapter;
6. All lighting for temporary festivals and carnivals shall be exempt from the requirements of this chapter; and
7. All low wattage residential accent and landscape lighting fixtures having a maximum output of 1600 lumens (equal to one 100 watt incandescent light) per fixture shall be exempt from the requirements of this chapter.

D. Prohibitions.

Prohibitions to the lighting standards of these regulations shall include the following:

1. The installation, sale, lease, or purchase of any mercury vapor lamp shall be prohibited in Westfield-Washington Township;
2. The use of laser source light or other similar high intensity light for outdoor advertising, when projected above the horizontal shall be prohibited in Westfield-Washington Township;
3. The operation of searchlights and floodlights for advertising purposes shall be prohibited in Westfield-Washington Township;
4. The use of any lighting source on towers shall be prohibited except as required by the Federal Aviation Administration; and
5. The illumination of off-site advertising signs shall be prohibited in Westfield-Washington Township.

E. General Lighting Standards.

For all areas located in Westfield-Washington Township the following standards shall apply:

1. All light fixtures shall be fully shielded and direct light downward toward the earth's surface;
2. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent property and public rights-of-way;
3. All lighting sources shall be positioned in such a manner as to direct light away from adjacent property and public rights-of-way;

4. Light pole height shall not exceed twenty-five feet (25'). All parking area light fixtures shall be designed and located to confine emitted light to the parking area; and
5. All lighting fixtures must meet building code requirements for their appropriate construction class;

F. Multi-Family Residential, Commercial and Industrial Standards.

For all multi-family residential, commercial, and industrial uses the following standards shall apply:

1. All light fixtures shall be positioned in such a manner so that no light-emitting surface is visible from a residential area or public right-of-way when viewed at ground level;
2. Light meter readings shall not exceed: one-half (0.5) foot-candles at a single-family residential property line, or one-half a (0.5) foot-candle at a multi-family residential property line or one (1.0) foot-candle at all other non-residential property lines. (It should be understood that, with all of these measurements, light will still be visible at or beyond property lines.)
3. All lights on poles, stands, or mounted on a building shall have a shield, adjustable reflector, and non-protruding diffuser;
4. All canopy structures shall have lights with diffusers which are recessed, and which do not extend below the surface of the canopy as measured on a plane parallel to the earth's surface;
5. Lighting under awnings and canopies shall only illuminate a building front, a sign under an awning or canopy, or the sidewalk, but shall not illuminate the awning or canopy itself;
6. Thirty (30) percent of all parking area lighting shall be turned off within 30 minutes of closing of the last business or no later than 11:00 p.m.; and
7. No outdoor sports or recreational facilities shall be illuminated after 11:00 p.m. except to conclude a scheduled recreational or sporting event in progress prior to 11:00 p.m.

G. Sign Lighting.

1. Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on top of or above the sign structure and shall comply with the shielding requirements of this chapter;

2. Lighting fixtures used to illuminate ground mounted or monument signs may be illuminated with a ground mounted or bottom mounted lighting fixture, provided that the fixture is fully shielded and all light output is directed onto the sign surface.
3. Signs comprised of individual reverse channel letters, whether mounted individually or collectively on a track, may be illuminated from inside the letter channels.
 - a. Channel letters with internal illumination shall provide a translucent covering material, preventing the element of the sign from being visible.
4. No sign lighting shall pulse, rotate, blink, flash or simulate motion, except a display containing only the time and temperature; and
5. Lamps utilized for the internal illumination of wall signs shall be turned off at 11:00 p.m. or when business closes.

a. Lighting Plans.

The applicant for any permit required by Westfield-Washington Township that proposes outdoor lighting shall submit a lighting plan set which includes:

1. A site plan indicating the location of all lighting structures, supports and fixtures, including those fixtures which presently exist on site and those which are proposed for the site;
2. A graphic and/or textual description of all lighting fixtures, both proposed and existing on-site. The description may include, but is not limited to cut sheets and illustrations by the manufacture, lamp types, wattages, and lumen outputs;
3. A site plan with illuminance levels superimposed on the site plan in the form of an iso foot-candle diagram or point-by-point grid diagram.
4. All plot lighting levels shall be depicted at 10-foot intervals or less.
5. The iso foot-candle diagram shall plot foot-candle increments of one-half (0.5) foot-candle or less;
6. Photometric data depicting the angle of cut off of light emissions; and
7. Any other information that the Planning Director determines necessary to ensure compliance with the provisions of this chapter.